

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Troy Anthony Dunlap,

Civli No. 22-2216 (JRT/DTS)

Petitioner

v.

ORDER

Minnesota Department of Corrections,

Respondent.

Troy Anthony Dunlap, OID# 207294, MCF Faribault, 1101 Linden Ln,
Faribault, MN 55021, *pro se* petitioner.

Matthew Frank, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, 445
Minnesota Street, Suite 1800, St Paul, MN 55101-2134, Nicole Cornale,
HENNEPIN COUNTY ATTORNEY'S OFFICE, C2000 Government Center, 300
South 6th Street, Minneapolis, MN 55487, for defendant.

United States Magistrate Judge David T. Schultz filed a Report and
Recommendation on December 7, 2022. No objections have been filed to that Report and
Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and
Recommendation of the Magistrate Judge, and upon all of the files, records and
proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. Petitioner Troy Anthony Dunlap's federal habeas petition (ECF No. 1) is

DISMISSED WITHOUT PREJUDICE.

2. Dunlap's application to proceed *in forma pauperis* (ECF No. 2) is **DENIED**.
3. No certificate of appealability shall be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 28, 2022
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge